

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

JOANNE HART and SANDRA BUENO, )  
on behalf of themselves and all ) CASE NO. 1:15-cv-04804-WHP  
others similarly situated, )  
 ) JUDGE WILLIAM H. PAULEY  
Plaintiffs, )  
 ) **DEFENDANTS' MOTION TO DISMISS**  
v. )  
 ) **PLAINTIFFS' FIRST AMENDED**  
BHH, LLC d/b/a BELL + HOWELL, )  
and VAN HAUSER, LLC, ) **CLASS-ACTION COMPLAINT**  
 )  
Defendants. ) **PURSUANT TO FEDERAL RULE OF**  
 ) **CIVIL PROCEDURE 12(b)(6)**

NOW COME Defendants, BHH, LLC d/b/a BELL + HOWELL and VAN HAUSER, LLC, by and through their counsel, LEAHY, EISENBERG, AND FRAENKEL, LTD., and hereby move to dismiss Plaintiffs' First Amended Class-Action Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). The accompanying Memorandum of Law is submitted in support thereof.

WHEREFORE, Defendants, BHH, LLC d/b/a BELL + HOWELL, and VAN HAUSER, LLC respectfully request that the Court enter an order dismissing Plaintiffs' First-Amended Class-Action Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6).

Respectfully submitted,

**E. MISHAN & SONS, INC.**

By: /s/ Scott Wing  
One of Its Attorneys

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***Counsel for BHH, LLC, VAN HAUSER, LLC, and VAN HAUSER, LLC***

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